# Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

#### Minutes December 17, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, December 17, 2010, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners

**Present:** 

Mmes. Donnelly-Cohen, Halverson, Merrigan, Porter, Thao, Wang, Wencl; and Messrs. Alton, Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson,

and Messrs. Alton, Commers, Connolly, Fernancez, Gelgelu, Kramer, Nelson

Schertler, Spaulding, Ward, and Wickiser.

Commissioners

Absent:

Ms. \*Young

\*Excused

Also Present:

Donna Drummond, Planning Director; Patricia James, Allan Torstenson, Merritt Clapp-Smith, Christina Morrison, Sarah Zorn, Jessica Rosenfeld, Colleen O'Dell,

Ryan Kelley, and Sonja Butler, Department of Planning and Economic

Development staff.

## I. Approval of minutes November 19, 2010.

MOTION: Commissioner Kramer moved approval of the minutes of November 19, 2010. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

Chair Donnelly-Cohen announced that the minutes for December 3, 2010 were just received by the commissioners and they will need time to review them, so they will be approved at the next meeting on January 7, 2011.

#### II. Chair's Announcements

Chair Donnelly-Cohen had no announcements.

### III. Planning Director's Announcements

Donna Drummond announced that in addition to material for the items on today's agenda, there is some additional information in the meeting packet about the Central Corridor Zoning Study. The commissioners had received some of the written testimony at the public hearing but staff wanted to gather it all together and provide a complete set of all the written comments. Also included is a summary of the public hearing testimony and additional background information on the zoning study process that occurred over the last summer.

IV. PUBLIC HEARING: St. Anthony Park Como 2030 Plan and Zoning Study – Item from the Neighborhood Planning Committee. (Allan Torstenson, 651/266-6579)

Chair Donnelly-Cohen announced that the Saint Paul Planning Commission was holding a public hearing on the St. Anthony Park Como 2030 Plan and Zoning Study. Notice of the public hearing was published in the Legal Ledger on November 18, 2010; was published in the Saint Paul Pioneer Press on November 24<sup>th</sup>, December 1<sup>st</sup>, and December 8, 2010; and was mailed to the citywide Early Notification System list and the owners of all property in the study area on November 10, 2010.

Allan Torstenson, PED staff gave a power point presentation on the draft St. Anthony Park Como 2030 Small Area Plan and Zoning Study. He said the Planning Commission initiated the small area plan and zoning study for this area and established a neighborhood task force for the study at the request of the District 12 Community Council. District 12 requested the study in response to a need identified in the District 12 Plan adopted in 2005 to address issues affecting the ability to maintain essential community assets: things that provide the bases for community life and make North St. Anthony Park a wonderful neighborhood. The District 12 Plan identified concerns about declining population and changing housing needs. Demographic and market changes are creating challenges to maintaining essential community assets. For neighborhood businesses there is increased competition from things like big box retailers as well as a shrinking neighborhood market. North St. Anthony Park no longer has a corner drug store or a neighborhood hardware store. Without a full range of housing options to meet current housing needs there is a flattening of population income, age and diversity.

In addition to 12 neighborhood task force meetings, District 12 and the task force sponsored 6 community-wide forums. And after a final community review meeting the plan and zoning recommendations were adopted by the District 12 Community Council and submitted for City adoption. The plan in the commissioners' packet has been tailored to fit the Comprehensive Plan addendum format and focus on objectives and strategies requiring City partnership. It has been reviewed by affected City departments. The neighborhood task force convened in September to review it, and in October the District 12 Community Council unanimously approved this draft for City adoption.

Mr. Torstenson said that the Como 2030 Plan provides a broad vision for Como Avenue as the heart of North St. Anthony Park, with a vibrant local business community, housing options that support diverse needs of residents, and institutions and events that provide the basis for community life. He talked about objectives and strategies in the plan pertaining to community character, commercial vitality, housing, transportation, and environmental sustainability. Mr. Torstenson also gave an overview of the land use and proposed rezoning recommendations in the plan and zoning study.

Chair Donnelly-Cohen read the rules of procedure for the public hearing.

The following people spoke.

1. Mr. Jon Schumacher was a task force member, and has been involved in the process from the start. He thinks that Mr. Torstenson has done a good job of giving the background of this plan. The neighborhood had gone through the comprehensive district plan process that focused largely on the south end of the neighborhood but noted that it was also important to address some issues in North St. Anthony Park. Some changing conditions were causing concern about maintaining important neighborhood assets. He thinks this

plan goes a long way toward doing that. He also spoke about the inclusivity of the process. Mr. Schumacher thanked the Planning Commission, Commissioner Nelson, Allan Torstenson and Colleen O'Dell. They could not have put this whole thing together without their help. Ultimately it was a wonderful community building process.

Commissioner Nelson thanked the St. Anthony Park Foundation and said it was a very good process.

<u>MOTION</u>: Commissioner Wencl moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, December 20, 2010, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

### V. Zoning Committee

SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

One item came before the staff Site Plan Review Committee on December 14, 2010: Alter Fertilizer Warehouse Addition, located at 795 Barge Channel Road.

#### **NEW BUSINESS**

Commissioner Kramer reported that the Greater Frogtown CDC's case for the re-establishment of legal nonconforming use status for a 4 plex has been re-scheduled.

#10-925-294 Rami Derhy – Re-establishment of nonconforming use as auto repair. 2058 Grand Avenue, SE corner at Cleveland. (Merritt Clapp-Smith, 651/266-6547)

<u>MOTION</u>: Commissioner Kramer moved the Zoning Committee's recommendation to approve the re- establishment of legal nonconforming use status subject to additional conditions. The motion carried unanimously on a voice vote.

#### VI. Comprehensive Planning Committee

Central Corridor Station Area Plans-Western, Victoria, and Hamline Station Areas – Release draft recommendations for public review and set public hearing for February 18, 2011. (Jessica Rosenfeld, 651/266-6560, and Christina Morrison, 651/266-6546)

Jess Rosenfeld and Christina Morrison, both planners in PED, presented an overview of the Hamline, Victoria, and Western Station Area Plans and process. Rosenfeld outlined the timeline of the planning process, which included a steering committee review, public input opportunities, and several drafts. She noted the various community, business, and resident stakeholders on the steering committee, and discussed a thorough approach to public outreach which responded to community concerns and needs unique to these planning areas. Ms. Rosenfeld highlighted each major public input session, including the community roundtables and daytime and evening workshops. She then outlined the basic thematic components of the station area plans. Ms. Morrison discussed the broad issues addressed in each of the three plans: existing conditions and character in the station area, opportunities and challenges, future development potential, public realm key moves, future character areas and corresponding policy directions, and transportation

connections. Ms. Rosenfeld concluded by outlining the next steps in adopting the three plans.

Commissioner Connolly has concerns about the Hamline plan and the Target property, where are people going to park?

Ms. Morrison said that this was a question that came up a lot in the modeling. The plan graphics are derived from the physical models that people worked on during the workshops at the Central Corridor Resource Center. The models shown in the plan are a long-term vision for the station area, and real-world change will be much smaller scale and incremental. Over the long term, the hope is that the large surface parking lots will consolidate into shared parking decks.

Commissioner Alton said one of the things in the rezoning proposal is the proposed setback requirement of four feet in certain areas between Marion and Emerald. Is that setback reflected in the station area plans?

Ms. Morrison said they were working with Sarah Zorn to make sure that the station area plans and the zoning study were consistent. The station area plans talk about obtaining those four feet where possible with new development to supplement the public right-of-way and enhance the pedestrian realm. And in the Victoria station area we push harder to make it landscaped or green space, because the area lacks parks. So we're looking for other solutions, like small community gardens on vacant lots or using the setback as a landscaped piece of public realm.

Commissioner Alton asks if they are going to require the building owners to setback 4 feet, which basically is taking 4 feet of their land. That is private property and there is nothing to require the property owner to permit the public to use that.

Donna Drummond, Planning Director, said the proposal in the zoning amendments for Central Corridor is that there be a four foot setback for new construction and that it would be up to the property owner whether that is landscaped or if they wish to dedicate it to the City as additional sidewalk space.

Commissioner Alton said that if these lots are only 150 feet deep and you're requiring parking and development and now you're taking away from that and it's a 40 foot lot, that's taking away a significant portion of property from the owner without any compensation to that property owner.

Ms. Drummond said they have setback requirements for other types of districts. For example, there are required minimum setbacks for most residential uses; people can not build right up to the property line. So it is a policy call on what to do there.

Commissioner Ward said there has been a lot of discussion about public art at the station areas, but what about in some of the green space where there is opportunity to have a mini park - is there any discussion of some type of sculptures or benches or things that could be considered public art?

Jessica Rosenfeld explained that public art is actually a much larger component of these plans than earlier station area plans; in part because there is a new public art ordinance that required a public artist be a part of the consultant team. There is a lot of discussion about public art in the station area plans, including using smaller spaces in a variety of approaches to public art.

Commissioner Fernandez wanted more information about the World Cultural Heritage District, what is the status of this concept and why is it a part of the documentation for this?

Ms. Morrison explained that the World Cultural Heritage District is a concept that came about four or five years ago by some community members who wanted to highlight the diversity and the unique destination that is University Avenue and particularly the area from Lexington to Rice Street and down to Selby Avenue to Como. The World Cultural Heritage District idea is slowly moving along, and there are several organizations working on it. The World Cultural Heritage District is included in the plan because that concept captured the idea that there are a lot of different people, customs and traditions that are important in this area and we want to highlight that diversity in the plans.

Commissioner Gelgelu commented about the World Cultural Heritage District, which his organization is a part of. They think that the corridor is an asset for the city because it is a destination for a lot of cultures and because there are a lot of businesses on University Avenue that bring tax revenue to the city.

Commissioner Spaulding said that one of the issues that has been discussed is the number of new green spaces identified in the Central Corridor Development Strategy. He thinks as we make the transition into a denser living environment, where people move away from single-family homes with yards into the Central Corridor, new green spaces are an important tool to help people make that transition. How do we achieve the needed green spaces?

Ms. Rosenfeld said that while funding is limited, the addition of new green space is a very important part of how we want to see this corridor change. The Parks Department will be coming before the Planning Commission soon to give an update on their Parks and Recreation System Plan, which looks at this issue citywide. One of the places Parks has identified with the need for a new neighborhood park is in this area, between Hamline and Victoria. That said, some of the green spaces envisioned in these plans may not be city parks. They may be publically available open spaces that are maintained and owned by someone else.

Commissioner Schertler said that he thinks there are some public open space benefits that can be funded by real estate participants, but it is crucial to project out the capital cost for these plans. And Commissioner Alton is right saying that we should be very careful about telling other people to solve the community's open space problem with setbacks.

Ms. Rosenfield said the one tool that they do have is the Parkland dedication ordinance, but that the current ordinance ties parkland dedication requirements to parking spaces, which doesn't make sense for Central Corridor. One of the things they will be looking at in the next few years is trying to revise Parkland Dedication requirements to be attached to something different.

Commissioner Connolly said the low income housing tax credit has created as much competition and good ideas and innovation as any federal housing program. His thought is to explore a property tax credit and establish a pool of what the city would have spent otherwise on parks and recreation and have a competition for the best ideas and the winners get \$2,000.00 shaved off their property taxes or something.

Donna Drummond, Planning Director, mentioned that one of the mechanisms used to fund open

space has been the Metropolitan Council's Livable Communities Program. However, it has been scaled back so it cannot be used to fund park space any longer. The Met. Council has been reviewing this program and City staff have provided feedback saying green space is essential for creating successful transit-oriented districts.

<u>MOTION</u>: On behalf of the Neighborhood Planning Committee, Commissioner Commers moved to release the draft for public review and set a public hearing on February 18, 2011. Commissioner Alton seconded the motion. The motion carried unanimously on a voice vote.

### VII. Neighborhood Planning Committee

<u>Highland Village Zoning Study</u> – Release draft recommendations for public review and set public hearing for January 21, 2011. (Merritt Clapp-Smith, 651/266-6547)

Merritt Clapp-Smith gave a brief presentation about the Highland Village Zoning Study. First she wanted to acknowledge Ryan Kelley who has been doing a great deal of the work on the Highland Village Zoning Study, a lot of the detailed examination of all the parcels and the mapping. She said that the study was initiated by the Planning Commission in the summer and it was initiated in response to two key impetuses, the Highland District Council and the Saint Paul Comprehensive Plan. Ms. Clapp-Smith explained why they need to do the study and the benefits of TN zoning. She showed a sample of properties to rezone to TN2 and sample properties to retain their zoning. Ms. Clapp-Smith discussed the one property that would become a non-conforming use if the recommended rezoning is approved. Ms. Clapp-Smith also discussed the encouragement of the Neighborhood Planning Committee to consider TN3 verses TN2 zoning for some parcels.

A summary of community meetings to date showed four meetings with community and property owners. Only four property owners attended the specific property owner meeting, but Ms. Clappsmith talked to a number of them on the telephone. In general people are comfortable with the study and the preliminary recommendations though there is concern about the creation of nonconforming uses.

Commissioner Connolly said that in the St. Anthony Park Small Area Plan, Luther Seminary played a fairly big role, or at least their land was in the discussion. Is there a reason why St. Catherine University isn't in this discussion?

Ms. Clapp-Smith said the interest that initiated the study request was for thinking about the built form of the commercial area and how that evolves over time. District 15 representatives did not see St. Catherine becoming more of a mixed use commercial campus in the future. If the zoning study had been more broadly about commercial, residential and everything else, maybe there would have been more consideration of St. Catherine's.

Commissioner Merrigan said that with the TN2 and parking requirements and it's a fairly high traffic area, does TN2 provide for parking structures?

Ms. Clapp-Smith said yes that would be permitted.

Commissioner Merrigan asked in terms of the timing of the study, with so much going on at the Ford site, is the timing right for this kind of rezoning? It seems that the Ford plant property is a

very large piece next to this commercial area. She is concerned about integrating those two things.

Ms. Clapp-Smith explained that there was some conversation about that and she thinks at some level there was interest in doing the study before the Ford Plant Study moves ahead in order to better position Highland Village with some redevelopment opportunities of its own. This is as opposed to the Ford parcel moving forward, perhaps having some rezoning development opportunities opening up and all the activity then sort of being focused there.

<u>MOTION</u>: On behalf of the Neighborhood Planning Committee, Commissioner Wencl moved to release the draft for public review and set a public hearing on January 21, 2011. Commissioner Nelson seconded the motion. The motion carried unanimously on a voice vote.

### VIII. Transportation Committee

Commissioner Spaulding said that they met and they will meet again on Monday, December 20, 2010.

#### IX. Communications Committee

Commissioner Thao reported that they will be meeting sometime in January 2011 to put together the annual report.

### X. Task Force Reports

Commissioner Commers announced the Planning Commission Annual Holiday Party on January 13, 2011 has been rescheduled to January 18, 2011 at 5:00 p.m. to 7:00 p.m., with more details to come.

Commissioner Spaulding said that the Nominations Committee will meet directly after the Planning Commission meeting today to nominate the next slate of officers.

Commissioner Wencl announced that the Smith Avenue Task Force had their last public task force meeting on December 7, 2010 and the plan will be forwarded to the Neighborhood Committee and then the Planning Commission sometime early 2011.

#### XI. Old Business

None.

#### XII. New Business

None.

### XIII. Adjournment

Meeting adjourned at 10:07 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,	Approved January 7, 2011
	(Date)
Toma Turnod	
Donna Drummond	Marilyn Porter
Planning Director	Secretary of the Planning Commission

PED\Butler\planning commission\minutes\December 17, 2010